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21912	7590	10/30/2003	EXAMINER	
VAN PELT & YI LLP 10050 N. FOOTHILL BLVD #200 CUPERTINO, CA 95014			THOMPSON JR, FOREST	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 10/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/483,388

Applicant(s)

XIA ET AL.

Examiner

Forest Thompson Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 14-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 & 14-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 January 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 15.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action (See Papers #5, 7 &13). The text of those sections of Title 35, U.S. Code not otherwise provided in a prior Office action will be included in this action where appropriate.
2. This action is responsive to the amendment D filed on 08/15/2003/2003 (see Paper #14). Applicant amended the specification, amended claim 1, and added new claims 18-33. Claims 1-12 and 14-33 are pending.
3. Applicants refer to Paper #13 as Final Rejection in the first paragraph at pg. 1 of Paper #14 (applicants' amendment D). Paper #13 was a Non-Final Rejection responsive to applicants' filing of an RCE and amendment C in Papers #11 and #12, respectively. **Applicants should note this distinction.** The current Action by examiner is a Final Action (rejection).
4. Claims 1-12 and 14-33 have been examined.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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6. Claims 25-27 and 30-33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claim 25 recites the limitation "a first marketing object container" in line 2, "the first marketing object container" in lines 2-3, "the first marketing object container" in line 4, "the first marketing object container" in line 6, "a second marketing object container" in line 7, "the first marketing object container" in line 8-9, and "the marketing object container" in line 10. There is insufficient antecedent basis for this limitation in the claim. Examiner cannot with certainty determine applicants' intended claim language. Correction is required.

Claims 26 and 27 depend from claim 27. Therefore, the same rejection is applied.

8. Claim 30 recites "a first marketing object container" in line 2, "the first marketing object container" in lines 2-3, "the first marketing object container" in lines 4-5, "the first marketing object container" in lines 6-7, and "the marketing object container" in line 8. There is insufficient antecedent basis for this limitation in the claim. Examiner cannot with certainty determine applicants' intended claim language. For the purpose of expediting prosecution, examiner has assumed that applicants' intended claim language was "the first marketing object container" in line 8, and has examined the claim below on the basis of this claim language. Correction is required.

Claims 31-33 depend from claim 30. Therefore, the same rejection is applied.

Claim Rejections - 35 USC § 103

9. Claims 1-12 and 14-17 were rejected in Paper #5 under 35 U.S.C. 103(a) as being unpatentable over Dedrick (U.S. Patent No. 5,724,521), and further in view of Angles et al. (U.S. Patent No. 6,385,592). Examiner maintains the rejection as modified below.

10. Claims 1-12, 14-24, and 28-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dedrick (U.S. Patent No. 5,724,521), and further in view of Angles et al. (U.S. Patent No. 6,385,592) and Kurtzman, II et al. (U.S. Patent No. 6,144,944) (hereafter referred to as Kurtzman).

Claim 1: Dedrick discloses:

- a memory (Abstract);
- renting out a marketing object container to a first party, wherein the marketing object container is configured to be presented in a web page associated with a second party (col. 4 line 3 – col. 5 line 4), in the context of presenting advertisers' advertisements to users over the system for a fee;
- selecting, by the first party, a marketing attribute (Abstract; col. 4 line 16 - col. 5 line 53; col. 16 lines 51-58); and

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- sending the selected marketing attribute to be automatically associated with the marketing object container (Abstract; col. 4 line 16 - col. 5 line 53; col. 16 lines 51-58), in the context of associating the chosen attributes with the identified advertisements and allowing particular end users to view the marketing object.

Dedrick does not specifically disclose sending the selected attribute to be automatically associated with the marketing object container; however, the functionality of Dedrick provides automatic association, as disclosed. Also, Dedrick does disclose:

- *A method and apparatus for providing electronic advertisements to end users in a consumer best-fit pricing manner includes an index database, a user profile database, and a consumer scale matching process. The index database provides storage space for the titles of electronic advertisements . The user profile database provides storage for a set of characteristics which correspond to individual end users of the apparatus. The consumer scale matching process is coupled to the content database and the user profile database and compares the characteristics of the individual end users with a consumer scale associated with the electronic advertisement . The apparatus then charges a fee to the advertiser, based on the comparison by the matching process. In one embodiment, a consumer scale is generated for each of multiple electronic advertisements . These advertisements are then transferred to multiple yellow page servers, and the titles associated with the advertisements are subsequently transferred to multiple metering servers. At the metering servers, a*

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determination is made as to where the characteristics of the end users served by each of the metering servers fall on the consumer scale. (Abstract)

- *The publisher/advertiser 18 is provided with software tools to create electronic information which includes content and advertisements that can be transmitted over the system. ... The software tools may include a hypertext oriented mark up language that routes distributed end users to the content databases (col. 4 lines 3-15.*

- *The publisher/advertiser 18 is also provided with software tools to create electronic information in a wide variety of consumption formats that can be transmitted over the system. These consumption formats include formats such as audio, video, graphics, animation, text, etc. For example, an advertiser 18 may create an advertisement for a camera which describes the camera in both audio and video format (col. 4 lines 37-48).*

Dedrick discloses, in this disclosure, functionality that encompasses automatically associating characteristics (or attributes) with a marketing container. Additionally, Angles et al. discloses:

- *HyperText Markup Language (HTML). A standard coding convention and set of codes for attaching presentation and linking attributes to informational content within documents. (HTML 2.0 is currently the primary standard used for generating Web documents.) During a document authoring stage, the HTML codes (referred to as "tags") are embedded within the informational content of the document. When the Web document (or "HTML document") is subsequently transferred from a Web server to a Web browser, the codes are interpreted by*

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the Web browser and used to parse and display the document. In addition to specifying how the Web browser is to display the document, HTML tags can be used to create links to other websites and other Web documents (commonly referred to as "hyper-links") (col. 6 lines 32-45).

Angles et al. discloses that the use of HTML provides the functionality and utility for automatically performing desired functions, such as claimed by applicant. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Dedrick to disclose sending the selected attribute to be automatically associated with the marketing object container, as disclosed by Angles et al., because this capability is encompassed by the disclosures of both Dedrick and Angles et al., and simplifies the presentation, to the user, of desired information from advertisers and others.

Neither Dedrick nor Angles et al. explicitly disclose selecting, by the first party, a marketing attribute configured to describe what marketing objects can be received by the marketing object container. Dedrick does disclose selecting, by the first party, a marketing attribute. Additionally, Dedrick discloses *The appraisal agent 28 provides the end user with an agent which can search various yellow page servers 22 to locate electronic content which matches the end user's user profile data* (col. 9 lines 50-54). Also, Kurtzman discloses *The affinity of an attribute to an object is determined by comparing the attribute to an affinity criterion associated with the object. For instance, a user's demographic attribute would be compared to an advertisement's demographic criterion in order to measure the demographic affinity of the user to the advertisement* (col. 4 lines

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32-37), which encompasses applicants' claimed aspect. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the disclosures of Dedrick and Angles et al. to explicitly disclose selecting, by the first party, a marketing attribute configured to describe what marketing objects can be received by the marketing object container, as disclosed by Kurtzman, for the motivation of providing an electronic marketing presentation.

Claim 2: Dedrick discloses selecting a marketing object for association with the marketing object container (col. 4 lines 37-48), in the context of *The publisher/advertiser 18 is also provided with software tools to create electronic information in a wide variety of consumption formats that can be transmitted over the system. These consumption formats include formats such as audio, video, graphics, animation, text, etc. For example, an advertiser 18 may create an advertisement for a camera which describes the camera in both audio and video format.*

Claim 3: Dedrick discloses sending a selected marketing object for association with the marketing object container (col. 4 lines 37-48), in the context of transferring consumption formatted electronic information to metering servers and subsequently to client systems.

Claims 4, 5, 9: Dedrick discloses:

- renting out a second marketing object container to the first party, wherein the second marketing object container is presented in a second web page

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associated with a third party, wherein the selected marketing object is automatically associated with the second marketing object container (Abstract; col. 4 line 13 - col. 5 line 53; col. 16 lines 51-58), in the context of These advertisements are then transferred to multiple yellow page servers, and the titles associated with the advertisements are subsequently transferred to multiple metering servers, of associating the chosen attributes with the identified advertisements and allowing particular end users to view the marketing object, and presenting advertisers' advertisements to users over the system for a fee.

- renting out a marketing object container to a first party, wherein the marketing object container is presented in a web page associated with a second party (col. 4 line 3 – col. 5 line 4).

- selecting a marketing object for association with the marketing object container (col. 4 lines 37-48), in the context of The publisher/advertiser 18 is also provided with software tools to create electronic information in a wide variety of consumption formats that can be transmitted over the system. These consumption formats include formats such as audio, video, graphics, animation, text, etc. For example, an advertiser 18 may create an advertisement for a camera which describes the camera in both audio and video format.

- a method and apparatus for providing electronic advertisements to end users (Abstract).

- A method and apparatus for providing electronic advertisements to end users in a consumer best-fit pricing manner includes an index database, a user profile database, and a consumer scale matching process. The index database

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provides storage space for the titles of electronic advertisements. The user profile database provides storage for a set of characteristics which correspond to individual end users of the apparatus. The consumer scale matching process is coupled to the content database and the user profile database and compares the characteristics of the individual end users with a consumer scale associated with the electronic advertisement . The apparatus then charges a fee to the advertiser, based on the comparison by the matching process. In one embodiment, a consumer scale is generated for each of multiple electronic advertisements . These advertisements are then transferred to multiple yellow page servers, and the titles associated with the advertisements are subsequently transferred to multiple metering servers. At the metering servers, a determination is made as to where the characteristics of the end users served by each of the metering servers fall on the consumer scale. (Abstract)

- The publisher/advertiser 18 is provided with software tools to create electronic information which includes content and advertisements that can be transmitted over the system (col. 4 lines 37-40).
- The publisher/advertiser 18 is provided with software tools to create electronic information which includes content and advertisements that can be transmitted over the system. ... The software tools may include a hypertext oriented mark up language that routes distributed end users to the content databases (col. 4 lines 3-15).
- The publisher/advertiser 18 is also provided with software tools to create electronic information in a wide variety of consumption formats that can be

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transmitted over the system. These consumption formats include formats such as audio, video, graphics, animation, text, etc. For example, an advertiser 18 may create an advertisement for a camera which describes the camera in both audio and video format (col. 4 lines 37-48).

Dedrick discloses, in this disclosure, functionality that encompasses automatically associating characteristics (or attributes) with marketing containers. Dedrick also provides the functionality for creating multiple advertisements, and does not limit the number of advertisements that advertisers may create and provide for presentment to users. Therefore, it would have been obvious to one skilled in the art at the time the invention was made that Dedrick discloses the functionality for renting out a second marketing object container to the first party, wherein the second marketing object container is presented in a second web page associated by a third party, wherein the selected marketing object is associated with the second marketing object container, and wherein the selected attribute is associated with the second marketing object container.

Additionally, Angles et al. discloses *HyperText Markup Language (HTML)*. *A standard coding convention and set of codes for attaching presentation and linking attributes to informational content within documents. (HTML 2.0 is currently the primary standard used for generating Web documents.) During a document authoring stage, the HTML codes (referred to as "tags") are embedded within the informational content of the document. When the Web document (or "HTML document") is subsequently transferred from a Web server to a Web browser, the codes are interpreted by the Web browser and used to parse and*

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display the document. In addition to specifying how the Web browser is to display the document, HTML tags can be used to create links to other websites and other Web documents (commonly referred to as "hyper-links") (col. 6 lines 32-45).

The disclosure of Angles et al. discloses that the use of HTML provides the functionality and utility for automatically performing desired functions, such as claimed by applicant. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Dedrick to disclose the selected marketing object is automatically associated with the second marketing object container, and the selected marketing attribute is automatically associated with the second marketing object container, as disclosed by Angles et al., because this capability is encompassed by the disclosures of both Dedrick and Angles et al., and simplifies the presentation, to the user, of desired information from advertisers and others.

Claim 6: Claim 6 is written as a method and contains essentially the same limitations as claim 1; therefore, the same rejection is applied. The prior art is not limited to the use or designation of only one website or party. Similar functionality is in claim 6 as in claim 1.

Claim 7: Dedrick discloses selecting at least one marketing object for insertion in the marketing object container, wherein the first party selects the at least one marketing object (col. 4 lines 37-48), in the context of *The*

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publisher/advertiser 18 is also provided with software tools to create electronic information in a wide variety of consumption formats that can be transmitted over the system. These consumption formats include formats such as audio, video, graphics, animation, text, etc. For example, an advertiser 18 may create an advertisement for a camera which describes the camera in both audio and video format.

Claim 8: Claim 8 is written as a method and contains essentially the same limitations as claim 4; therefore, the same rejection is applied.

Claim 10: Dedrick discloses selecting at least one marketing object for insertion in the marketing object container also associating the at least one marketing object for insertion in the second marketing object container (col. 2 lines 10-19).

Claim 11: Dedrick discloses the second party provides a service to a plurality of parties and at least some of the parties are unrelated, and the unrelated parties are only allowed access to their own marketing presentation (col. 7 lines 16-49).

Claim 12: Dedrick discloses the second party receives a commission based on revenue generated by the first party's marketing presentation (col. 11 lines 17-27), which is encompassed in the disclosure of *It should be noted that the*

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metering server 14 charges the publishers/advertisers 18 a fee for access to the metering server 14. This fee is in addition to the amount an advertiser 18 pays each time the advertisement is consumed by an individual end user.

Claim 14: Dedrick discloses the second party receives fees from the first party for hosting their marketing presentation (col. 11 lines 17-27).

Claim 15: Claim 15 is written as a system and contains essentially the same limitations as claim 1; therefore the same rejection is applied.

Claim 16: Claim 16 is written as a computer program product and contains essentially the same limitations as claim 1; therefore, the same rejection is applied.

Claim 17: Dedrick does not specifically disclose the computer readable medium is selected from the group consisting of CD-ROM, floppy disk, tape, flash memory, system memory, hard drive, and data signal embodied in a carrier wave. Dedrick does disclose the server maintaining resident databases (col. 3 lines 1-5). Additionally, Angles et al. discloses *The advertising storage medium 44, however, can consist of a wide range of data storage devices including, but not limited to, digital video devices, floppy disks, hard drives, system memory, tape drives, Personal Computer Memory Card Interface Adapter cards (PCMCIA cards), and the like* (col. 11 lines 55-60). Kurtzman discloses *Other*

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embodiments of the invention include computer program products that have programs that can select and serve media for dynamically generated information. Examples of the types of computer program product can include CDs, zip disks, hard disks. (col. 2 lines 62-63). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the disclosures of Dedrick to disclose the computer readable medium is selected from the group consisting of CD-ROM, floppy disk, tape, flash memory, system memory, hard drive, and data signal embodied in a carrier wave, as disclosed by Angles et al. and Kurtzman, for the motivation of providing an electronic marketing presentation.

Claims 18, 19: Neither Dedrick, Angles et al. nor Kaufman explicitly disclose the marketing objects that can be received by the marketing object container include a marketing object of type ad banner, nor the marketing attribute is further configured to characterize the marketing object container as being configured to receive a marketing object having a cross sell feature. However, Dedrick does disclose *The publisher/advertiser 18 is also provided with software tools to create electronic information in a wide variety of consumption formats that can be transmitted over the system. These consumption formats include formats such as audio, video, graphics, animation, text, etc.* (col. 4 lines 37-41). Additionally, Angles et al. discloses *HyperText Markup Language (HTML). A standard coding convention and set of codes for attaching presentation and linking attributes to informational content within documents. (HTML 2.0 is*

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currently the primary standard used for generating Web documents.) During a document authoring stage, the HTML codes (referred to as "tags") are embedded within the informational content of the document. When the Web document (or "HTML document") is subsequently transferred from a Web server to a Web browser, the codes are interpreted by the Web browser and used to parse and display the document. (col. 6 lines 32-45) These disclosures provide functionality that encompass the claimed aspects of the marketing objects that can be received by the marketing object container include a marketing object of type ad banner, and the marketing attribute is further configured to characterize the marketing object container as being configured to receive a marketing object having a cross sell feature. Therefore, it would have been obvious to one skilled in the art to modify the disclosures of Dedrick, Angles et al. and Kaufman to explicitly disclose the marketing objects that can be received by the marketing object container include a marketing object of type ad banner, and the marketing attribute is further configured to characterize the marketing object container as being configured to receive a marketing object having a cross sell feature, as disclosed by the functionality of the combination of Dedrick and Angles et al., for the motivation of providing an electronic marketing presentation.

Claim 20: Dedrick discloses selecting a marketing object for display in the marketing object container, the selection being responsive to the marketing attribute (col. 5 lines 21-29).

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Claim 21: Dedrick discloses the selection is further responsive to a visitor attribute (col. 5 lines 21-29).

Claim 22: Claim 22 is written as a method and contains essentially the same limitations as claim 1; therefore, the same rejection is applied.

Claims 23, 24: Neither Dedrick, Angles et al., nor Kaufman explicitly disclose the campaign type is a promotion, or the campaign type is an up sell, a sale, or a new product introduction. However, Dedrick does disclose *The publisher/advertiser 18 is also provided with software tools to create electronic information in a wide variety of consumption formats that can be transmitted over the system. These consumption formats include formats such as audio, video, graphics, animation, text, etc.* (col. 4 lines 37-41). Additionally, Angles et al. discloses *HyperText Markup Language (HTML). A standard coding convention and set of codes for attaching presentation and linking attributes to informational content within documents. (HTML 2.0 is currently the primary standard used for generating Web documents.) During a document authoring stage, the HTML codes (referred to as "tags") are embedded within the informational content of the document. When the Web document (or "HTML document") is subsequently transferred from a Web server to a Web browser, the codes are interpreted by the Web browser and used to parse and display the document.* (col. 6 lines 32-42) These disclosures provide functionality that encompasses the claimed aspects of the campaign type is a promotion, and the campaign type is an up

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sell, a sale, or a new product introduction. Therefore, it would have been obvious to one skilled in the art to modify the disclosures of Dedrick, Angles et al., and Kaufman to explicitly disclose the campaign type is a promotion, and the campaign type is an up sell, a sale, or a new product introduction, as disclosed by the functionality of the combination of Dedrick and Angles et al., for the motivation of providing an electronic marketing presentation.

Claim 28: Claim 28 is a method and contains essentially the same limitations as claim 1; therefore, the same rejection is applied. Dedrick discloses the added feature of claim 28 of selecting a marketing attribute to characterize the marketing object container as having a timing or priority of display of a marketing object within the marketing object container (col. 5 lines 30-53), as inferred by the requirement for a relative match between the consumer profile and the consumer scale.

Claim 29: Neither Dedrick, Angles et al. nor Kurtzman disclose the timing or priority of display of a marketing object includes a time period for displaying the marketing object. However, Official Notice is taken that it was old and well known in the art at the time the invention was made that the time period for displaying the marketing object may be determined to optimize the presentation to potential users/buyers and influence their responses to the marketing object. Sellers and purveyors of merchandise/services/information try to optimize their profits/expenses. If the time period for displaying/viewing the marketing object is

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too short for consumption by potential buyers/users, profits may suffer and expenses may not retain the desired response/profit. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the disclosures of Dedrick, Angles et al. and Kurtzman to explicitly disclose the timing or priority of display of a marketing object includes a time period for displaying the marketing object, as disclosed by old and well known art, for the motivation of providing an electronic marketing presentation.

Claim 30: Claim 30 is written as a method and contains essentially the same limitations as the combination of claims 22, 23 and 24; therefore, the same rejection is applied.

Claim 31: Claim 31 is written as a method and contains essentially the same limitation as claim 1; therefore, the same rejection is applied.

Claim 32: Dedrick does not explicitly disclose selecting a style template responsive to the marketing attribute, and identifying a visitor to the web page, after selecting the style template. Dedrick does disclose *The publisher/advertiser 18 is also provided with software tools to create electronic information in a wide variety of consumption formats that can be transmitted over the system* (col. 4 lines 37-40). Additionally, Angles et al. discloses the functionality that encompasses selecting a style template responsive to the marketing attribute, and identifying a visitor to the web page, after selecting the style template (fig. 1

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[10, 12, 14, 18, 20, 22, 26, 30, 32]; col. 7 line 43 – col. 8 line 67). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the disclosure of Dedrick and Kurtzman to explicitly disclose a style template responsive to the marketing attribute, and identifying a visitor to the web page, after selecting the style template, as disclose by the functionality of Angles et al., for the motivation of providing an electronic marketing presentation.

Claim 33: Claim 33 is written as a method and contains essentially the same limitation as claims 23 and 24; therefore, the same rejection is applied.

Response to Arguments

11. Applicant's arguments with respect to claims 1 and 18-33 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory

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action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Forest Thompson Jr. whose telephone number is (703) 306-5449. The examiner can normally be reached on 6:30-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on (703) 308-3588. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

FT

10/23/2003



VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600